



Ministry
of Defence

Health Safety & Environmental Protection (HS&EP) Function Operating Model

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Foreword from Dave King

Director Health Safety & Environmental Protection (HS&EP) and HS&EP Function Leader

The requirement to keep people safe and protect the environment, at home and overseas, has been set by the Secretary of State for Defence in the Health, Safety & Environmental Protection Policy Statement (the [HS&EP Policy statement](#)). That policy statement sets out the commitment and role of Defence organisation leaders (Service Chiefs, Director General Nuclear and Chief Executives of enabling organisations) to make sure that health, safety and environmental protection policies and regulations are applied throughout Defence.

The HS&EP Function is responsible for setting the policy, strategy and governance framework for HS&EP in Defence and is the owner of the Defence Safety and Environmental Management System (Defence SEMS) and the underpinning HS&EP policy.

Purpose

This document explains how the HS&EP Function contributes to Defence and interacts with other Defence organisations. It sets out the framework to make sure HS&EP is considered and appropriately applied across Defence, in line with the Defence Plan and the Defence SEMS. It also sets out how Defence organisations consider HS&EP when delivering the Defence tasks set out in the Defence Strategic Direction.

This document should be read alongside the [HS&EP Functional Strategy](#).

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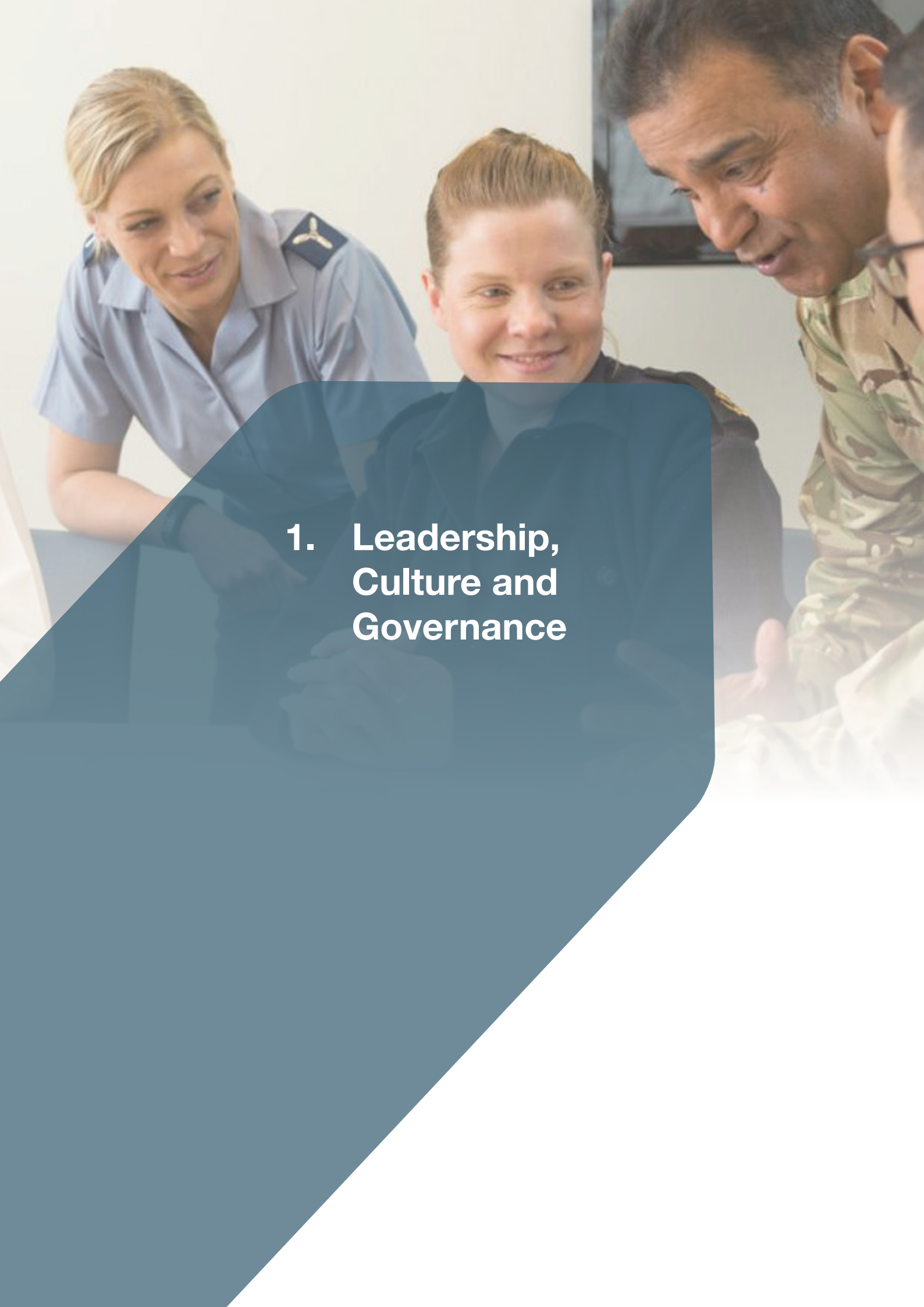
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Note: Throughout this document, the term ‘Defence’ refers to the Ministry of Defence (MoD).

Note: Throughout this document, the term ‘Defence organisations’ refers to Military Commands, Top Level Budgets (TLBs), Defence Nuclear Organisation (DNO) and Enabling Organisations (EOs) collectively.



1. Leadership, Culture and Governance

Guiding principles

Departmental

- The Secretary of State for Defence is accountable to Parliament for health, safety and environmental protection (HS&EP) in Defence.
- The Permanent Secretary is accountable to the Secretary of State for Defence for making sure that effective HS&EP management arrangements are in place.

Functional

- The Director HS&EP has responsibility for HS&EP Functional Leadership across Defence, on behalf of the Chief Operating Officer (COO).
- The Director HS&EP owns the HS&EP Functional Strategy, the HS&EP Operating Model and the overarching Defence Safety and Environment Management System (SEMS).
- The Director HS&EP is responsible for the corporate governance of Defence HS&EP, on behalf of the Permanent Secretary.

Defence Safety Authority (DSA)

- The DSA is independent from Defence activity, as set out in the DSA Charter.
- The DSA leads on Defence HS&EP regulation and provides independent assurance to the Secretary of State, through the Permanent Secretary.
- The DSA is the convening authority for Service Inquiries (SIs).

Governance

- The Defence Board is responsible for the top-level leadership and management of HS&EP in Defence.
- The Defence Safety and Environment Committee (DSEC) is the main forum responsible for the governance of HS&EP. The DSEC is chaired by the Permanent Secretary.

1.1 Leadership

Departmental

The Secretary of State for Defence is accountable to Parliament for HS&EP in Defence. The Secretary of State's HS&EP Policy Statement sets out Defence's legal obligations and what the Secretary of State for Defence requires from individuals, commanders and line managers.

As Defence's most senior official for HS&EP matters, the Permanent Secretary makes sure that effective management arrangements are in place to comply with (meet the requirements of) the Secretary of State's HS&EP Policy Statement.

HS&EP Functional Leadership

The Chief Operating Officer (COO) is the HS&EP Function owner and the Director HS&EP is the function leader. As the function leader, the Director HS&EP owns the HS&EP Functional Strategy, the HS&EP Operating Model and the overarching Defence Safety and Environment Management System (Defence SEMS).

The Director HS&EP is responsible for creating the HS&EP vision. The three priorities designed to deliver the HS&EP vision are set out in the HS&EP Functional Strategy. The HS&EP vision is set out in figure 1 below.



Figure 1 – Vision for HS&EP in Defence

The Director HS&EP is responsible for making sure there is appropriate recognition of HS&EP issues in Head Office decision-making, such as during strategy, planning, budgeting and performance and risk reviews.

The Deputy Chief of Defence Staff (Military Capability) is a member of the Executive Committee (ExCo) to make sure that infrastructure, and climate change and sustainability (CC&S), are taken account of during Head Office decision-making.

What the HS&EP Function does

Defence function owners – including the Director HS&EP – are responsible for developing the relevant mechanisms to support their Functional Strategy and are empowered to implement these mechanisms across Defence to drive improvement. The mechanisms include:

- setting formal delivery objectives for Defence organisations, through the Defence Plan;
- giving strategic direction to Defence organisations;
- publishing Joint Service Publications (JSPs) for the conduct of the relevant function;
- workforce planning, to define the skills and capabilities required by the relevant function and sponsoring any relevant training; and
- managing the profession within Defence.

Defence organisations

Senior leaders of Defence organisations (Service Chiefs, Director General Nuclear and Chief Executives of enabling organisations) lead on HS&EP through the responsibilities set out in their letters of delegation issued by the Permanent Secretary (or any equivalent delegated authority). They make sure their Defence activities are delivered in line with the Defence SEMS and their own SEMS.

Senior leaders from the Defence organisations support the Director HS&EP through their membership of HS&EP forums and through formal and informal HS&EP meetings.

Under the Management of Health and Safety at Work Regulations 1999, senior leaders of all Defence organisations must appoint a ‘competent person’ to help them. In Defence, this role is typically provided by the Chief Environment Safety Officer (CESO). The CESO is typically a non-executive member of the organisation’s senior HS&EP governance and is the primary point of contact for engaging with the statutory regulators. However, this may differ between Defence organisations. The Service Chiefs have also appointed Safety Directors to manage the SEMS across their Commands.

Defence Safety Authority (DSA)

The Charter for the Defence Safety Authority (the [DSA Charter](#)) empowers the DSA, as an independent Defence regulator, to provide the direction to be followed for specific Defence activities. It does this through regulations and enforcement actions. The Director General DSA is accountable to the Secretary of State, through the Permanent Secretary, and is independent of Defence activities.

The DSA provides regulatory advice to ministers, the Permanent Secretary, the Chief of Defence Staff (CDS) and the Vice Chief of Defence Staff (VCDS).

The Director General DSA has direct access to the Secretary of State and will escalate major concerns that are not being satisfactorily addressed through normal processes to the Secretary of State, making sure the Permanent Secretary is informed.

1.2 Culture

Leaders in Defence set the strategic direction for HS&EP, and the overall tone from the top. It is that direction and tone that influences how individuals within Defence behave in relation to HS&EP. Those behaviours define the culture of the organisation. Senior leaders in Head Office and the Defence organisations are collectively responsible for creating and maintaining a strong HS&EP culture within Defence.

At the most basic level, our overall HS&EP culture can be defined as ‘the way we do things here’.

Defence organisations have flexibility to describe the elements of a strong HS&EP culture using their own language. Several Defence organisations have adopted the approach suggested in the Nimrod Review of 2009, as shown in figure 2 below.

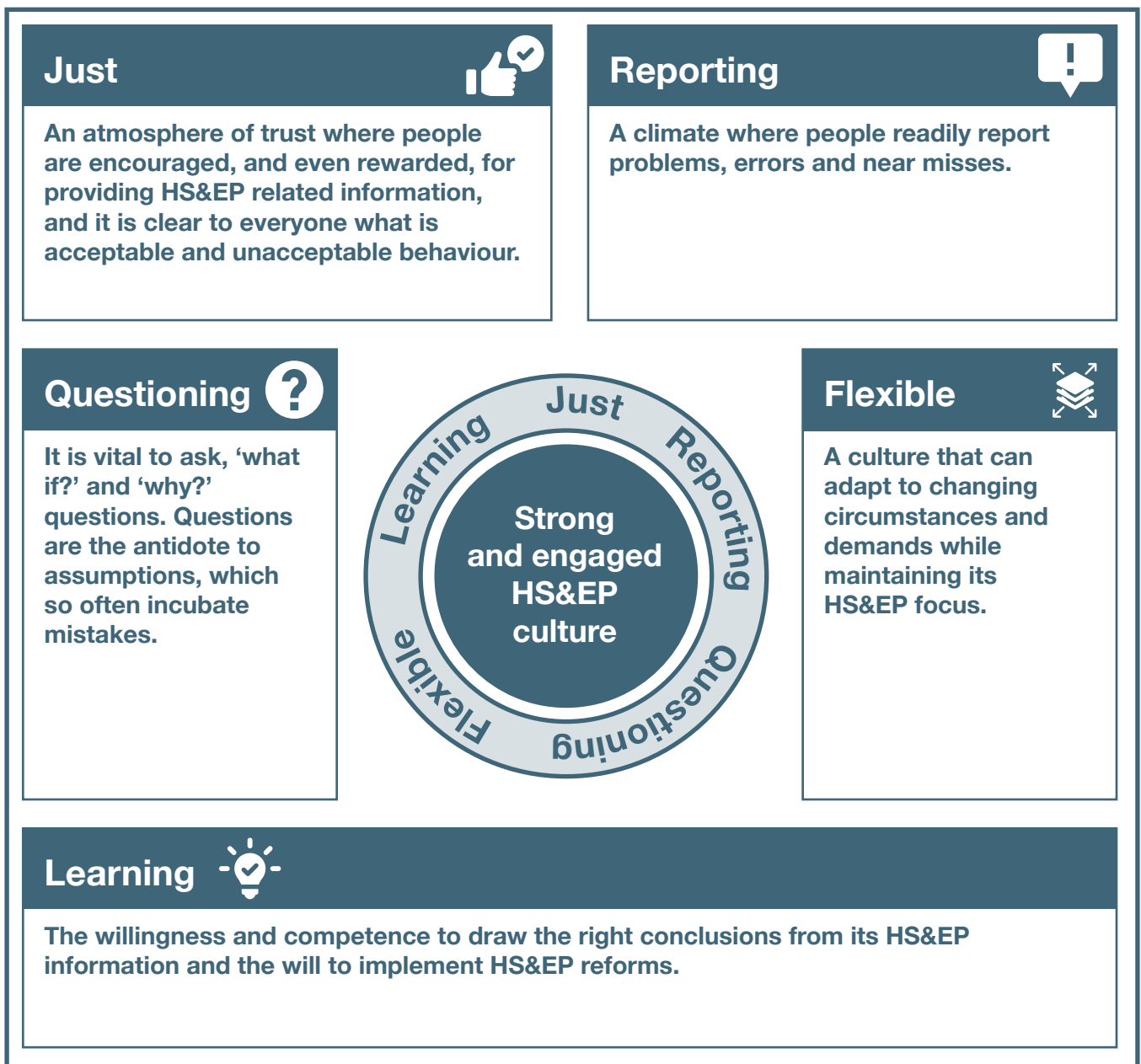


Figure 2 – The five elements of a strong and engaged HS&EP culture

1.3 Governance

Figure 3 below provides an overview of the governance arrangements for HS&EP within Defence.

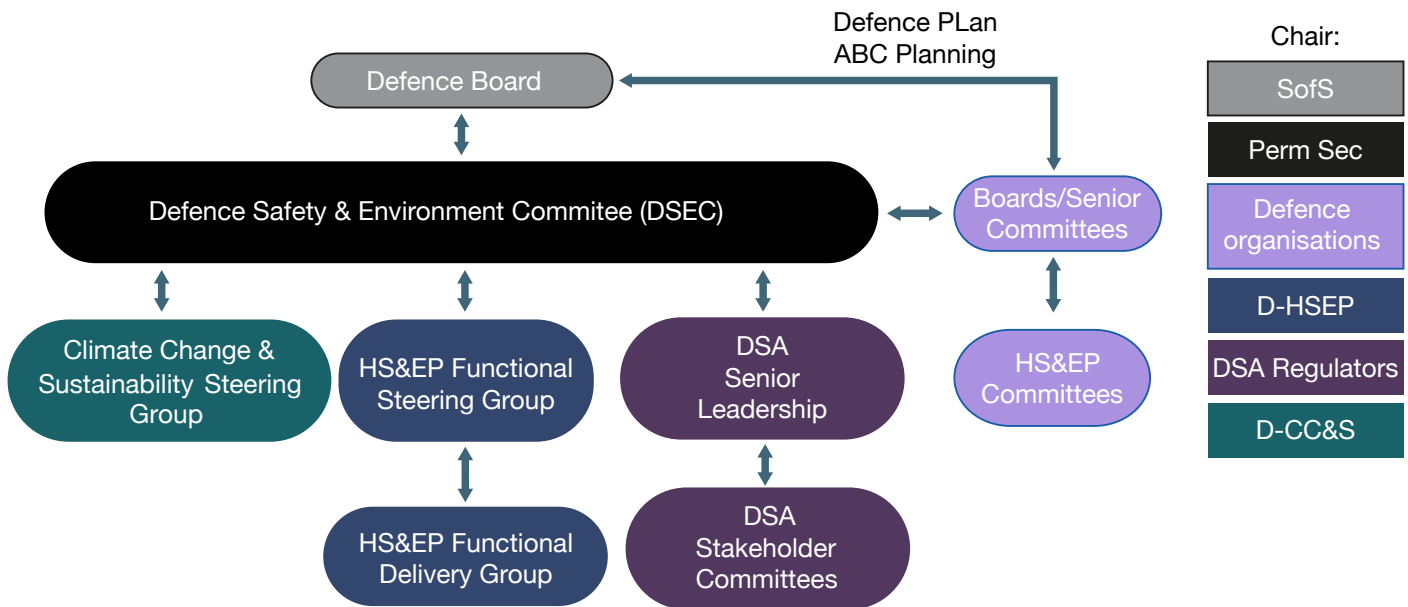


Figure 3 – HS&EP governance within Defence.

Defence Board

The Defence Board is chaired by the Secretary of State and is responsible for the top-level leadership and management of Defence. The Defence Board exists to advise and help the Secretary of State and the Permanent Secretary, and make sure resources are in line with Defence objectives. It also aims to assure itself of the effectiveness of Defence's risk-management system and its internal controls, and to give clear direction on its desired level of acceptable risk.

The Defence Board is supported by the Defence Safety and Environment Committee (DSEC) and sub-committees. For example, the Defence Audit and Risk Assurance Committee (DARAC) is a Defence Board sub-committee that supports the Defence Board and the Accounting Officer by reviewing the comprehensiveness, reliability and integrity of the risk assurance framework. The HS&EP Function links into the DARAC and other sub-committees such as the People Committee and the Investment Approval Committee (IAC), via the Chief Operating Officer (COO) as the HS&EP Function owner.

Defence Safety and Environment Committee

The Defence Safety and Environment Committee (DSEC) is the principle forum responsible for HS&EP and climate change and sustainability (CC&S) governance, and acts as the Functional Accountability Body (FAB), as required by the Defence Operating Model Board (DOMB), to oversee the strategic direction of HS&EP in Defence. The DSEC makes sure HS&EP and CC&S are managed effectively through a strong governance framework.

The DSEC oversees policies, regulations and governance of HS&EP and CC&S within Defence. The DSEC provides guiding principles to be adopted across Defence and implemented by senior leaders and Defence organisations. The DSEC will review HS&EP performance, identified risks and mitigation activities across Defence. It will consider the approach to Defence-wide HS&EP issues and provide guidance where specific issues are raised to the DSEC.

The DSEC members are shown in the following table. There are also two non-executive directors (not shown in the following table) that are external to Defence – one with HS&EP experience and one with CC&S experience.

Title
Permanent Secretary (Chair)
Vice Chief of the Defence Staff
Deputy Chief of Defence Staff (Military Capability)
First Sea Lord
Chief of the General Staff
Chief of Air the Staff
Commander UK Strategic Command
Director General Nuclear
Chief Executive Defence Equipment and Support
Chief Executive Defence Infrastructure Organisation
Chief of Defence People
Chief Operating Officer
Chief Executive Defence Science and Technology Laboratory
Chief Executive Submarine Delivery Agency
Director Health Safety and Environmental Protection
Director Climate Change and Sustainability

Table 1 – Defence Safety and Environment Committee Membership.

The Director HS&EP is a member of the DSEC in order to give the Permanent Secretary and the Vice Chief of Defence Staff advice on HS&EP, and is responsible for co-ordinating and driving forward the work of the DSEC relating to HS&EP. The Director General DSA is not a member of the DSEC but attends meetings to provide independent assurance on HS&EP risks and issues.

The Director CC&S is a member of the DSEC in order to give the Permanent Secretary and the Vice Chief of Defence Staff advice on CC&S. The Director CC&S and the Director Infrastructure are responsible for co-ordinating and driving forward the work of the DSEC relating to the environment. The Director HS&EP collaborates with the Director CC&S and the Director Infrastructure on environmental and CC&S issues.

The DSEC’s decisions are made on the authority of its members, including the Permanent Secretary, rather than as an executive group. Agendas and papers are developed in consultation with the Director HS&EP and the Director CC&S. Meetings are scheduled by, and minutes are produced by, the Defence Board’s secretariat.

Climate Change and Sustainability Steering Group

The Director CC&S chairs the Climate Change and Sustainability Steering Group. The Director HS&EP, the Director General DSA (if required), the Director Infrastructure and the Defence organisations provide resources and expertise to the Climate Change and Sustainability (CC&S) Steering Group. They will help the Director CC&S with the governance and implementation of CC&S issues.

HS&EP Functional Steering Group

The Director HS&EP chairs the HS&EP Functional Steering Group (FSG), which is a small group of senior leaders who give the Director HS&EP advice and support on the strategic direction of the HS&EP Function and acts as the Functional Oversight Group (FOG). Functional leadership in Defence is overseen by the Defence Operating Model Board (DOMB). The DOMB requires all Defence functions to have a Functional Oversight Group that functional owners chair with stakeholders from across Defence, that supports function owners in the day-to-day management of the function, and that is the primary focus for Defence organisations to escalate function issues.

HS&EP Functional Delivery Group

The Director HS&EP chairs the HS&EP Functional Delivery Group (FDG). This group is the forum for discussions and consultation between the HS&EP Director, senior stakeholders and HS&EP professionals from across Defence organisations, and acts as the 'delivery body' to support the Director HS&EP. It considers HS&EP issues, policies and performance, drives forward improvements, influences HS&EP culture, and supports the development of HS&EP professionals. It gives Defence organisations an opportunity to raise topical HS&EP issues.

DSA stakeholder committees

DSA stakeholder committees are the forums for discussions and consultation between Defence regulators and senior stakeholders from across Defence. The HS&EP Directorate and other stakeholders, which may include industry, other government departments and relevant statutory bodies, will be invited to attend as required. At DSA stakeholder committee meetings, findings and trends identified through regulatory activities are discussed and necessary actions are considered.

DSA stakeholder committees also provide a forum for stakeholders to identify safety risks and issues, and raise concerns about regulation, and for Defence regulators to identify areas where regulation is likely to change. Outcomes from the DSA stakeholder committees can be fed through both the DSA internal governance mechanisms and the Defence organisations HS&EP governance mechanisms into the DSEC.

Defence organisation HS&EP committees

Defence organisations will establish their own safety committees to provide governance across HS&EP issues within their area of responsibility. They also provide a forum for maintaining awareness of current and future HS&EP issues, and support senior leaders in meeting their HS&EP responsibilities. The Director HS&EP is invited to Defence organisation HS&EP committee meetings, in line with letters of delegation from the Permanent Secretary.

Departmental Joint Health and Safety Committee (JHSC)

The Departmental Joint Health and Safety Committee was established (under the terms of Regulation 9 of the Safety Representatives and Safety Committees Regulations 1977) to be the forum for health, safety and welfare matters relating to the civilian workforce to be discussed at a corporate level between trade unions (TU side), the Defence health and safety management (Management side), the Defence Police Federation and safety representatives from staff organisations recognised by Defence.

Defence Strategic Direction and Defence Plan

The Director HS&EP leads on HS&EP aspects of the Defence Strategic Direction and the Defence Plan.

The HS&EP activities set out in the Defence Plan should be reflected in command plans, corporate plans and business plans, which all include agreed objectives and key performance indicators.

HS&EP Functional strategy

The Director HS&EP is responsible for developing the HS&EP Functional Strategy. The Director HS&EP is also responsible for this HS&EP Operating Model, which sets out how the HS&EP Function operates.

Climate Change and Sustainability Strategy

The Director CC&S develops, owns and maintains CC&S strategies and implementation plans. The Director CC&S and the Director Infrastructure will work with the Director HS&EP to develop and maintain Defence environmental policy. Defence organisations deliver Defence activities in compliance with environmental policy documents and the strategic objectives and targets set out in the CC&S Implementation Plan.

Crisis response and emergency planning

The Defence Crisis Management Organisation (DCMO) provides the framework within which Defence can respond to events at a faster pace than that of routine work. It co-ordinates input to the Chief of Defence Staff and the Secretary of State, representing the views of the Services, Strategic Command, the Permanent Joint HQ and the Directorate of Special Forces (DSF). It is the principal mechanism for providing strategic and Defence policy advice in response to a crisis or when rapid planning is needed.

The Director HS&EP and the DSA will provide resources and HS&EP expertise to the DCMO as part of a Defence-wide response to an HS&EP related crisis or emergency.

Defence organisations will provide the DCMO or crisis-management teams with resources and expertise for delivering a Defence-wide response.

The Director CC&S will give the DCMO and wider Defence resources and expertise on climate change and sustainability issues, when required. The Director Infrastructure will provide resources and expertise on specific infrastructure elements and on how military capability supports the DCMO, when required.

Escalation process

The escalation process, which staff can use to raise health and safety concerns with the Joint Health and Safety Committee (JHSC), is set out in 2021DIN06-007.

HS&EP related issues that do not involve a staff concern and cannot be resolved through routine consultation with the HS&EP Function should ultimately be escalated to the DSEC.



2. Policy, Regulation and Guidance

Guiding principles

HS&EP Policy Statement and DSA Charter

- The Secretary of State’s HS&EP Policy Statement, together with the DSA Charter, provides the top-level authority for HS&EP policies and regulations within Defence.

Defence Safety and Environmental Management System (Defence SEMS)

- The Defence Safety and Environmental Management System (Defence SEMS) is the overarching framework document for complying with all HS&EP legislation, Defence regulation and Defence policy.
- The Defence SEMS is owned by the Director HS&EP, on behalf of the Permanent Secretary, and comprises of a separate Defence Safety Management System (Defence SMS) and a Defence Environmental Management System (Defence EMS).

Defence policy and guidance

- The Director HS&EP is responsible for developing and maintaining effective HS&EP policies and guidance on behalf of the Secretary of State for Defence. HS&EP policies are published in Joint Service Publications (JSPs) or Defence Instructions and Notices (DINs).

Defence regulation

- The Director General DSA is responsible for developing and maintaining Defence regulations, acting through the Permanent Secretary, on behalf of the Secretary of State for Defence. Defence regulations are set out in the DSA series of documents.

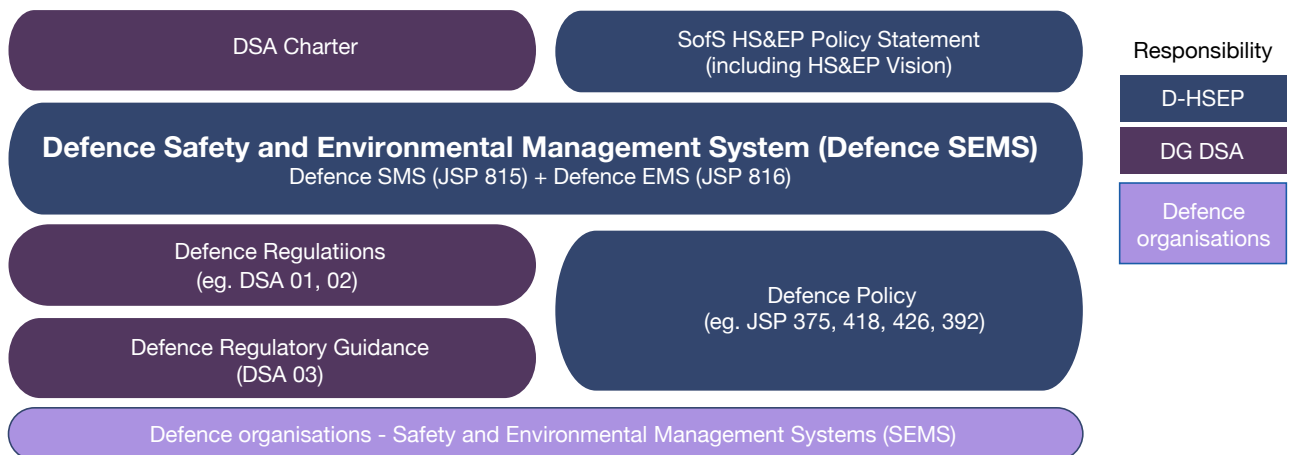


Figure 4: Defence HS&EP policy and regulation framework

2.1 HS&EP Policy Statement and DSA Charter

Figure 4 above sets out the framework for compliance with Defence HS&EP policy and regulation.

The HS&EP Policy Statement sets out general HS&EP policy, senior roles and responsibilities, and the Secretary of State's personal commitment to managing HS&EP. The Director HS&EP leads in maintaining the HS&EP Policy Statement, on behalf of the Permanent Secretary.

The DSA Charter empowers the DSA in its role as the independent Defence regulator and investigator. The Director General DSA leads in maintaining the DSA Charter, on behalf of the Permanent Secretary.

Defence follows all health, safety and environmental protection (HS&EP) legislation that applies in the UK. Overseas, Defence follows legislation that applies at the appropriate location. If laws that apply overseas fall short of UK requirements, Defence will apply UK standards, so far as is reasonably practicable (SFAIRP).

2.2 Defence Safety and Environmental Management System (Defence SEMS)

The Defence Safety and Environmental Management System (Defence SEMS) is the overarching framework for complying with all HS&EP legislation, Defence regulation and Defence policy.

The Defence SEMS sets the strategic direction for HS&EP and puts in place a set of consistent standards and processes for Defence organisations to follow when delivering Defence activities. It also describes how Defence demonstrates good practice and continuous improvement towards meeting the requirements of the Secretary of State's HS&EP Policy Statement.

The Defence SEMS comprises of two separate documents – the Defence Safety Management System (Defence SMS), as set out in Joint Service Publication (JSP) 815, and the Defence Environmental Management System (Defence EMS), as set out in JSP 816. The Defence SMS is based on good practice set out in the Health and Safety Executive (HSE) publication HSG 65 and ISO 45001.

The Defence EMS is based on good practice set out in the ISO 14001 standard, incorporating proven processes and goals relating to climate change, sustainable development and environmental protection.

The DSA provides expertise on regulation, investigation, enforcement and assurance to help the Director HS&EP to develop the Defence SEMS. The Director CC&S and the Director Infrastructure provide input to help the Director HS&EP in maintaining the Defence EMS.

The Director Infrastructure owns and maintains the Infrastructure System Operating Model (ISOM) and JSP 850.

2.3 Defence policy and guidance

The Director HS&EP is responsible for developing and maintaining effective HS&EP policies and guidance on behalf of the Permanent Secretary. Defence policy which must be met, and the guidance that should be followed in order to meet the policy, is published in JSPs.

The Director HS&EP provides HS&EP advice to ministers, the Permanent Secretary, the Chief of Defence Staff and the Vice Chief of Defence Staff.

The HS&EP policy and guidance are set out in the following JSPs.

- **JSP 375 – Management of Health and Safety in Defence**
This JSP covers the basic arrangements for complying with health and safety law. Each chapter covers a separate hazard or work environment in which health and safety measures are needed to protect employees.
- **JSP 418 – Defence Environmental Policy**
This JSP covers the basic arrangements for complying with environmental legislation.
- **JSP 392 – Management of Radiation Protection in Defence**
This JSP is written for users of small quantities of radioactive material, X-ray equipment and non-ionising radiation sources such as that from radio frequency and microwave sources.
- **JSP 426 – Defence Fire Safety and Fire Risk Management**
This JSP provides policy and guidance on fire safety and fire-risk management. This JSP is owned and managed by the Chief Fire Officer, under the sponsorship of the Director HS&EP.

The Director HS&EP is responsible for the moderation (control) of all HS&EP related Defence Instructions and Notices (DINs). All new DINs relating to HS&EP or fire safety must be approved by the Functional Delivery Group.

The Defence organisations provide the Director HS&EP with resources and expertise for developing Defence HS&EP policy.

The Director CC&S and the Director Infrastructure will provide the Director HS&EP with resources and expertise to develop Defence environmental protection policy. The Director CC&S and the Director Infrastructure lead Defence's consideration of and response to new UK and international environmental legislation, including the Environmental Bill, supported by the Director HS&EP.

The Director HS&EP is the Defence lead for the consideration of and response to new UK and international health and safety legislation. The Director HS&EP leads on the five-year policy review process to make sure it is in line with the Defence SEMS and to address any new or amended UK legislation relating to health and safety.

The Director HS&EP leads on presenting new or updated policy to the Defence Safety and Environment Committee (DSEC), who act as a clearing house for significant HS&EP policy and regulation issues.

The Director HS&EP makes sure that all new or updated policy considers the impact on equality, as set out in the Equality Impact Assessment guidance, and that accessibility is considered for publishing on Defnet and GOV.UK.

It is important that HS&EP policy is kept up to date with UK legislation. Information on changes to legislation may come through various routes, although new or amended laws that relate to HS&EP are usually reported by the Ministerial Support Unit (MSU). Defence organisations, through their Safety Directors (or equivalents), may also keep the Director HS&EP informed of relevant new or amended legislation.

The process of tracking the legislation in order to influence Defence's response is carried out through tools such as the Defence Legislation Support Tool, which is managed by the DSA. Defence organisations have access to experts and legal advisers to make sure Defence complies with UK legislation, tracks emerging law or regulation, and determines the effect on Defence.

2.4 Defence regulations

The Director General DSA owns, develops and maintains Defence HS&EP regulations on behalf of the Secretary of State, through the Permanent Secretary.

Defence HS&EP regulations are not intended to replace relevant legislation and have been developed for one or more of the following reasons.

- A derogation (a relaxation of a statutory requirement, to allow the law to be applied differently for justifiable practical or operational reasons), an exemption (a formal written authorisation for all or a part of specific legislation or Defence regulation to not apply) or a disapplication (where all or part of specific legislation does not apply to Defence) applies.
- The Defence Regulator has a delegation from the Statutory Regulator or is directed by authorised local authorities.
- The Director HS&EP or a Defence organisation has requested, and the DSA has accepted, that an area of Defence activity is not sufficiently regulated.
- There is a gap in UK legislation that needs to be filled when considering Defence activity or following lessons identified.
- For activities that are considered as high risk, Defence organisations (via the DSEC) have decided that the legislation does not provide enough regulation for specific military activities.

The Director General DSA leads on the approvals process for proposed exemptions to UK legislation relating to areas the DSA regulates, or where Defence regulations relating to HS&EP are waived, and maintains a register of all HS&EP derogations, exemptions and disapplications.

Defence HS&EP regulations are set out in DSA documents.

2.5 Defence regulatory guidance

The Director General DSA owns, develops and maintains the DSA 03 Defence regulatory guidance documents. These supplement the Defence regulations by providing Defence codes of practice (DCoP), including the 'acceptable means of compliance'.

2.6 Defence organisations SEMS

Defence organisations develop and maintain their own safety and environmental management system (SEMS) that is specific to their organisation. These set out how the Defence SEMS and underpinning policy and regulations will be delivered in a way specific to the Defence organisation.

Defence organisations may own and maintain specific HS&EP policy that is contained in their own publications. Defence organisations are responsible for making sure that any specific HS&EP policy is written in line with the overarching Defence SEMS and does not duplicate or conflict with any HS&EP policy and regulations.



3. Performance, Risk and Assurance

Guiding principles

Performance, Risk, Assurance, and Scrutiny

- There will be one Defence HS&EP Annual Assurance Report (AAR), produced by the DSA, covering all HS&EP assurance of Defence activity.
- There will be one HS&EP Annual Functional Report, produced by the Director HS&EP, covering the corporate governance of HS&EP across Defence, including Defence organisations' SEMS, compliance with the Defence SEMS and the status of the HS&EP Profession.
- The Director HS&EP will support the Permanent Secretary, the Vice Chief of Defence Staff and the Chief Operating Officer with the scrutiny of Defence organisations' Performance and Risk Reviews (P&RR) relating to HS&EP.

Assurance

- There will be one Risk-Based Assurance Plan, owned by the Director HS&EP on behalf of the Permanent Secretary, covering all HS&EP assurance including compliance with statutory legislation, Defence policy, and Defence regulation.
- The Director General DSA is responsible for developing and delivering their element of the Risk-Based Assurance Plan on behalf of the Permanent Secretary, thereby maintaining the independence of the DSA.
- The Director HS&EP will be responsible for the HS&EP Assurance Performance Framework against which the DSA will conduct assurance of Defence activities.
- All 3rd Line of Defence (LoD) assurance of Defence activities will be conducted under the control and leadership of the Director General DSA.
- The Director HS&EP will not undertake assurance of Defence activities but will have the right to conduct safety reviews in specific areas, as directed by the Permanent Secretary.

Scrutiny

- The Director HS&EP will undertake the scrutiny of Strategy, Corporate Governance and Planning relating to HS&EP across Head Office and the Defence organisations.
- The Director HS&EP will conduct scrutiny of SEMS owned by all Defence organisations to make sure they comply with the Defence SEMS.

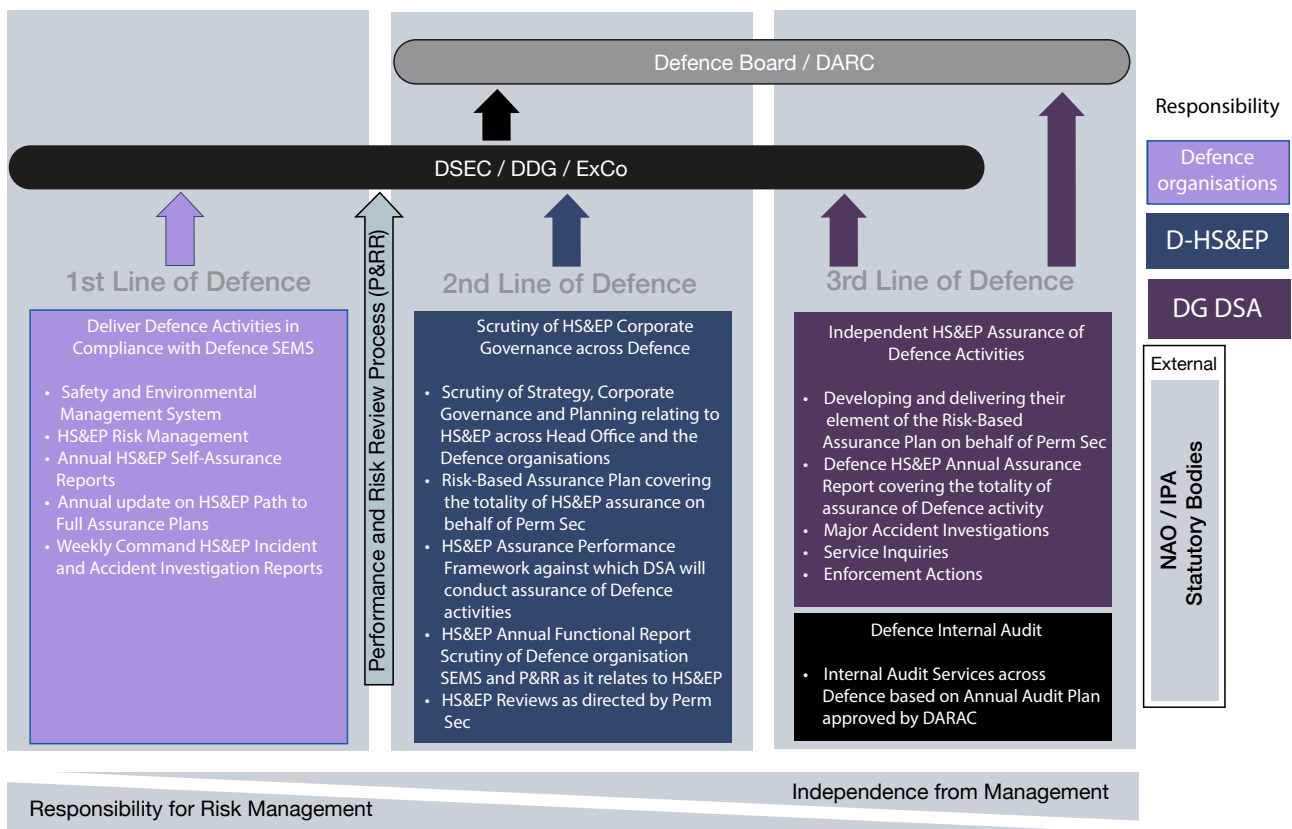


Figure 5 – HS&EP performance, risk and assurance

3.1 Performance reporting

HS&EP performance is managed as part of the standard Performance and Risk Reviews process. Performance and Risk Reviews (P&RRs) challenge and support Defence organisations in reviewing their performance and risks based on the agreed Command or Corporate Plan and the agreed key performance indicators, metrics and milestones.

P&RRs also enable Defence organisations to specify where they need additional support from Head Office. The P&RRs assess whether each organisation is delivering what is required against the Defence Tasks, as defined in the Defence Plan and its Command or Corporate Plan.

The Director HS&EP will support the scrutiny of a Defence organisation’s P&RR material relating to HS&EP, making sure that Defence organisations take appropriate action to address HS&EP performance issues.

Defence organisations are accountable for their own HS&EP performance and are responsible for making sure that HS&EP aspects are included in their P&RRs, to comply with standards set by the Director HS&EP.

There will be one Defence HS&EP Annual Assurance Report (AAR), produced by the DSA, covering all HS&EP assurance of Defence activity. The Director General DSA is responsible for submitting the Annual Assurance Report to the Defence Board, the Defence Audit and Risk Assurance Committee (DARAC) and the Defence Safety and Environment Committee (DSEC), and for raising any emerging HS&EP risks or issues that need to be escalated to the Defence Board.

There will be one HS&EP Annual Functional Report, produced by the Director HS&EP, covering the corporate governance of HS&EP across Defence, including the Defence organisations’ SEMS compliance with the Defence SEMS, and the status of the HS&EP Profession.

The Director HS&EP will collect information from Defence organisations and other Defence functions in order to provide an overview of Defence HS&EP performance and risk. This responsibility includes providing a weekly HS&EP update report to the DSEC and the Head Office Executive Committee (ExCo). The Director HS&EP provides a quarterly HS&EP update to the Defence Delivery Group (DDG).

Defence organisations lead on the response to DSA enforcement actions, Crown enforcement actions and Service Inquiries (SIs). They draw on support from the Director HS&EP, who maintains a central record of progress against Crown enforcement action by statutory regulators. The DSA maintains a central record of progress against DSA enforcement actions and Service Inquiries, including closure.

3.2 Risk management

The Defence SEMS will set out the control framework for HS&EP performance and risk reporting, prioritisation and escalation, including the policy relating to appointed Duty Holders.

The Director HS&EP provides advice to the Defence Board on risk 8 – loss of control of management of HS&EP. The Director CC&S gives the Defence Board advice on environmental risks.

The Director HS&EP provides expertise and guidance to senior Defence leaders as the owners of HS&EP risks. The Director HS&EP communicates financial liabilities, and applies for and maintains programmes that relate to Defence-wide health and safety. For programmes that relate to Defence-wide environmental protection, the Director HS&EP will do this in collaboration with the Director CC&S and the Director Infrastructure.

The Director CC&S is responsible for maintaining Head Office's awareness of CC&S and, where necessary, acts to address serious CC&S risks and issues across Defence (either directly or by making sure they are addressed by the appropriate Defence processes).

The Director CC&S communicates financial liabilities, and applies for and maintains programmes relating to Defence-wide CC&S. Defence-organisation leaders will communicate financial liabilities and apply for and maintain programmes relating to HS&EP issues specific to them.

The DSA supports HS&EP risk-management across Defence, through appropriate Defence regulatory activity. If any risk from a Defence activity is not being managed appropriately, the DSA escalates the matter to the Permanent Secretary or the Secretary of State.

Defence organisation leaders act as the Senior Duty Holder (SDH) if they consider that their organisation's Defence activities lead to a risk to life that requires enhanced safety management arrangements, as set out in their letters of delegation from the Permanent Secretary (or any equivalent delegated authority).

When any risk from a Defence activity cannot be mitigated so that it is as low as reasonably practicable (ALARP) and tolerable, Defence organisations will escalate the matter to the Permanent Secretary and to the Secretary of State, through appointed Duty Holders, as appropriate. They will also inform the Director HS&EP of any HS&EP related issues that have been escalated.

Defence organisations provide key HS&EP risks and mitigation plans, consistent with wider Performance and Risk Reviews, to the DSEC. The Director HS&EP, along with the Chief Risk Officer, advises the DSEC on the appropriate Defence HS&EP risk appetite. The DSEC will review HS&EP performance, risk and mitigation activity across Defence and will consider the appropriate response.

Defence organisations provide key CC&S risks and mitigation plans, consistent with wider Performance and Risk Reviews, to the DSEC. The Deputy Chief of Defence Staff Military Capability (DCDS MilCap) or the Director Infrastructure will raise issues from the Infrastructure Joint Committee (IJC), as required, to the DSEC.

The Director CC&S, along with the Chief Risk Officer, advises the DSEC on the appropriate Defence CC&S risk appetite. The DSEC will review CC&S performance, risk and mitigation activity across Defence and will consider the appropriate response.

3.3 Assurance and scrutiny

The assurance of Defence activities and the scrutiny of the Defence SEMS are carried out in line with the principles of the three Lines of Defence (LoDs) set out in the [HMT Orange Book](#) (see figure 5 above). Careful co-ordination across the LoDs is necessary to avoid unnecessary duplication.

1st LoD – deliver Defence activities in compliance with the Defence SEMS

Defence organisations provide the 1st LoD through their Safety and Environmental Management Systems (SEMS).

Defence organisations have primary ownership of, responsibility for and accountability for identifying, assessing and managing their HS&EP risks. The Defence organisations are responsible for their organisation's response to the identified HS&EP risks, through internal controls on a day-to-day basis, and for implementing corrective actions to address deficiencies or failings.

Defence organisations should have adequate managerial and supervisory controls in place to meet the requirements of UK and international HS&EP legislation, policy and regulation. Defence organisations make sure that their highest HS&EP risks are reviewed and agreed by the most senior leader in their organisation. The HS&EP risks are quantified by identifying the hazards and control measures in place, and are reported to the DSEC and through Performance and Risk Reviews (P&RRs).

Defence organisations compile an annual HS&EP self-assurance report, relating to the HS&EP Assurance Performance Framework, for the DSEC. Each Defence organisation also provides an annual update on their 'Path to Full Assurance' plans.

Defence organisations can tailor their internal assurance arrangements. However, they must have adequate processes in place to provide self-assurance at the unit or establishment level and at the organisation or Head Quarters level.

The Military Commands provide the Director HS&EP with weekly performance reports, including information on incidents and accident investigations, in order to support the 3rd LoD. Defence organisations implement corrective actions, including in response to DSA enforcement actions, Crown Censures and Service Inquiries (SIs), and they have the right to conduct Non-Statutory Inquiries.

2nd LoD – scrutiny of HS&EP corporate governance across Defence

(Note: Scrutiny is the checking and inspection of documents, systems and processes, but does not include providing assurance of Defence activity.)

The Director HS&EP provides the 2nd LoD through the scrutiny of Strategy, Corporate Governance and Planning relating to HS&EP across Head Office and the Defence organisations.

There will be one Risk-Based Assurance Plan, owned by the Director HS&EP on behalf of the Permanent Secretary. That plan will cover all HS&EP assurance, including compliance with Defence policy, regulation and legislation.

The Director HS&EP will be responsible for the HS&EP Assurance Performance Framework against which the DSA will conduct assurance of Defence activities.

All Defence functions must provide an annual assurance report of the function. The Director HS&EP will lead in providing the Defence Audit and Risk Assurance Committee (DARAC) and the Head Office Executive Committee (ExCo) with an Annual Functional Assurance Report on the performance of the HS&EP Function.

The Director HS&EP will conduct scrutiny of SEMS owned by all Defence organisations, to make sure they comply with the Defence SEMS, and will conduct scrutiny of the Defence organisations' P&RRs relating to HS&EP. The Director HS&EP will draw on scrutiny of Head Office's and Defence organisations' corporate governance, and the Defence organisations' SEMS and P&RRs, to contribute to the Defence Annual Assurance Report produced by the Director General DSA.

The Director HS&EP will **not** undertake assurance of Defence activities but will have the right to conduct HS&EP reviews in specific areas, as directed by the Permanent Secretary.

3rd LoD – independent HS&EP assurance of Defence activities

Currently, the Director General DSA provides 3rd LoD through independent HS&EP assurance of Defence activities that are regulated by the DSA. In time, the DSA intends to broaden their capability to conduct assurance of all aspects of HS&EP legislation, Defence regulation and policy. In the interim, the resource delivering assurance of legislation and Defence policy will be staffed and funded by the Director HS&EP, but conducted under the control and leadership of the Director General DSA.

The Director General DSA is responsible for developing and delivering their element of the Risk-Based Assurance Plan on behalf of the Permanent Secretary, thereby maintaining the DSA's independence.

The DSA leads on Major Accident Investigations and is the convening authority for Service Inquiries (SI) across all Defence organisations. The DSA gives Defence organisations expertise and support, if requested, to help them conduct non-statutory investigations.

The DSA's regulators are authorised, through the DSA Charter, to enforce Defence regulations when necessary. The DSA's enforcement model is, where reasonable and possible, in line with statutory equivalents in order to produce similar outcomes. If there is a dispute between a Defence regulator and anyone in Defence that enforcement action is being taken against, the issue will be escalated through the command, management and DSA hierarchy, up to the Secretary of State if necessary.

Where a high-risk activity presents a risk to life, the DSA has the right to investigate the activity, on a 'dynamic risk basis', while the activity is underway.

Defence Internal Audit

Defence Internal Audit (DIA) is the independent internal audit function across Defence. The results of internal audits form the basis of DIA's opinion on the adequacy and effectiveness of governance, risk management and internal controls. DIA will produce an annual risk-based plan, approved by the Permanent Secretary and the Defence Audit and Risk Assurance Committee (DARAC), for conducting internal audits. The plan is expected to regularly include audits of the HS&EP risk and assurance framework, or specific elements within it, to provide assurance to the DARAC and to the Permanent Secretary about the controls in place.

Where DIA audits cover HS&EP aspects, the Director HS&EP and the Director General DSA will engage with the Chief Risk Officer to make sure that there is co-ordination with the HS&EP Risk Based Assurance Plan.

External assurance

Outside the three LoDs, the National Audit Office's audits, the Infrastructure and Projects Authority's assurance reviews, and inspections conducted by the statutory regulators, all provide independent information that supports assessment of HS&EP performance and risk-management across Defence.



4. People and Professional Management

Guiding principles

Professional leadership

- The Director HS&EP is the HS&EP Head of Profession, is appointed by a letter of delegation from the Chief of Defence People, and is held to account by a performance objective.
- The Director HS&EP and the Director CC&S nominate professionally qualified deputy heads of profession.

Professional standards and competencies

- The Director HS&EP provides expertise and guidance to develop the standards and the HS&EP functional competencies.

Learning and development

- The Director HS&EP leads the development framework for HS&EP professionals, including training needs, qualifications, career development and professional accreditation.

Cultivating talent

- The Director HS&EP is responsible for HS&EP talent management, including apprenticeships.

Strategic workforce planning

- The Director HS&EP, supported by the deputy heads, will make sure the HS&EP Function's workforce planning is in line with the strategic workforce plan and skills framework.

Building partnerships

- The Director HS&EP works across Defence and across government to raise the profile of HS&EP, exert appropriate influence and promote the HS&EP Profession.

4.1 Role of the Head of Profession

Heads of profession are appointed by a letter of delegation from the Chief of Defence People.

Heads of profession can define their own structure and appoint deputy heads to support them in their role. Deputy heads have an important role to play by providing expert advice to the Heads of profession on specialisms within their 'job family'.

Building a capable workforce to meet the current and future challenges for Defence is a key priority. Heads of profession are responsible for building the organisation's capabilities, including addressing skill shortages and supporting individuals to develop their professional skills, in order to make sure there is a capable and skilled workforce.

The Head of Profession may be involved in a number of business areas including Diversity, Workforce Planning, Talent Management, Pay and Apprenticeships.

4.2 The HS&EP Head of Profession

The Director HS&EP is the HS&EP Head of Profession and is appointed by a letter of delegation from the Chief of Defence People. The Defence Safety and Environment Committee (DSEC) holds the Director HS&EP, as the Head of Profession, to account.

The Director HS&EP nominates professionally qualified deputy heads of profession for HS&EP. The Director CC&S (in agreement with the Director HS&EP) nominates deputy heads of profession for the environment.

Professional leadership

The Director HS&EP uses the HS&EP Functional Delivery Group to provide the first level of governance of, and engagement with, HS&EP professionals in Defence organisations.

As the HS&EP Head of Profession, the Director HS&EP leads on the development of the Defence-wide HS&EP Profession 'Offer'. The Offer has been designed for employees who are in HS&EP roles or aim to work in HS&EP roles. It explains the principles and processes that Defence use for career development. It also outlines how to identify, assess and develop skills that professionals need in order to have a rewarding HS&EP career.

A key part of the Offer will be maintaining and communicating professional leadership and standards, functional competencies and accomplishments relevant to the HS&EP Profession. The Offer also aims to develop, promote and advertise career pathways available to all staff within the HS&EP Profession and the wider workforce, including apprenticeships and entry-level routes into the profession.

Professional standards and competencies

The Director HS&EP provides expertise and guidance standards, in line with the skills, knowledge, experience and behaviours (SKEB) methodology, to develop (in collaboration with the People Function) the HS&EP competency framework. Those standards include all the HS&EP functional competencies.

The Director HS&EP oversees and defines the functional competencies required for the HS&EP Profession and provides information to help commanders and line managers plan an effective workforce with the necessary competencies. The information also helps commanders and line managers to understand which people with HS&EP responsibilities (as detailed in their SEMS) are suitably qualified and competent, and whether they have adequate resources.

The Director HS&EP is consulted on appointing Safety Directors, Chief Environment and Safety Officers (CESOs) and their equivalents to actively support the HS&EP Profession as part of their overall workforce management.

Learning and development

The Director HS&EP leads the professional development framework for HS&EP professionals, including training needs, qualifications, career development and professional accreditation. The Director HS&EP develops, promotes and advertises career pathways available to all staff within the HS&EP Profession and the wider workforce, including apprenticeships and entry-level routes into the profession. These pathways will be in line with the HS&EP competency framework.

The Director HS&EP and deputy heads of profession use the HS&EP competency framework to recruit and develop people with the necessary skills, experience, qualifications, competencies and professional accreditations to maintain expertise relating to HS&EP.

The Director HS&EP acts as the Training Requirements Authority for those areas of HS&EP training where HS&EP policy applies and there is no lead Defence organisation. The Director General DSA acts as the Training Requirements Authority for those areas of HS&EP training where Defence regulation applies and there is no lead Defence organisation. Additionally, the DSA deliver specialised Duty Holder and regulatory training, and provide technical regulatory expertise and guidance to Defence organisations.

Defence-organisation leaders act as Training Delivery Authority for those areas of HS&EP training where the Director HS&EP or the DSA is the Training Requirement Authority. In addition, they act as Training Requirements Authority for all other HS&EP training, including establishing a lead command for Defence-wide requirements.

Professional accreditation is encouraged within the HS&EP Profession and formal qualifications may be required for specific roles. All HS&EP professionals will be encouraged, as part of their ongoing development, to join one of the HS&EP-recognised professional bodies set out in the HS&EP Offer.

Cultivating talent

The Director HS&EP is responsible for HS&EP talent management, including apprenticeships. The Director HS&EP works with the Head of Profession Forum and the MyHR development team to improve the quality of information about the HS&EP Profession.

The Director HS&EP will also work to improve the approach to HS&EP talent management, by building diverse, high-performing, passionate and committed HS&EP teams. The Director HS&EP will work closely with the People Function to develop HS&EP apprenticeships and encourage participation in existing development schemes.

Strategic workforce planning

The Director HS&EP, supported by the deputy heads of profession, will make sure the HS&EP Function keeps to the Strategic Workforce Plan (SWP) and the Pan-Defence Skills Framework (PDSF) by doing the following.

- Defining where the HS&EP Profession needs to be, by considering internal and external factors to understand what the key business objectives are and what 'good' looks like.
- Demonstrating an understanding of the current HS&EP Profession and the current levels of SKED of HS&EP professionals across Defence.
- Explaining the level of demand placed on the HS&EP Profession for meeting key business objectives and the requirements of the short-, medium- and long-term future.
- Identifying opportunities for developing individuals, making sure that there is effective planning for filling vacancies in critical roles.
- Providing a 'gap analysis' to identify any lack of capabilities, positions, grades and resources within the HS&EP Profession.
- Establishing an action plan that sets out how the HS&EP Profession can be developed to improve recruitment and retention, and improve capability through experience, training and qualifications.
- Setting out how the Director HS&EP and the deputy heads of profession will deliver the Strategic Workforce Plan.

The Strategic Workforce Plan will support the recruitment and development of people with the necessary HS&EP skills, experience, qualifications, competencies and accreditations, which will result in building diverse, high-performing, passionate and committed HS&EP teams across Defence.

Roles designated as critical to safety should be included within the Strategic Workforce Plan for the HS&EP Function.

Building partnerships

The Director HS&EP leads on the process of consulting trade unions on matters relating to the HS&EP Profession.

The Director HS&EP leads on engaging with other government departments and aims to establish the HS&EP Profession within Defence.

The Director HS&EP leads on engaging with HS&EP professional bodies, including through corporate membership of those professional bodies, and maintaining professional relationships with the Health and Safety Executive and other government departments and agencies. The Director CC&S, in collaboration with the Director HS&EP, leads on engaging with professional environmental bodies, including through corporate membership of those environmental bodies.

The Director HS&EP attends relevant HS&EP forums, including the Head of Profession Forum held twice a year, to share good practice across Defence and government, and to identify and develop opportunities that add value to individuals and to Defence as a whole.

skills in act



5. Stakeholder Engagement

Guiding principles

Stakeholder Engagement

- The Director HS&EP leads on engaging with internal and external stakeholders on Defence-wide strategic HS&EP issues.
- The Director CC&S leads on engaging with internal and external stakeholders on Defence-wide strategic climate change and sustainability (CC&S) issues.
- The Director CC&S and the Director HS&EP collaborate on engaging with stakeholders on environmental issues.

Consulting trade unions

- The Director HS&EP leads in consulting with trade unions on HS&EP issues.

5.1 Engagement with internal stakeholders

HS&EP related communications from Head Office and Defence organisations need to be carefully co-ordinated to make sure there is consistent messaging.

Secretariat and communication activities may include ministerial briefings, Parliamentary questions and enquiries, dealing with the press, Freedom of Information requests, communication campaigns, and documents for external engagement.

The Director HS&EP leads on engaging with internal stakeholders on Defence-wide strategic HS&EP issues.

The Director CC&S leads on engaging with internal stakeholders on Defence-wide strategic CC&S issues. The Director CC&S and the Director HS&EP collaborate on engaging with internal stakeholders for environmental issues.

The Director HS&EP will formally consult HS&EP stakeholders from Defence organisations and other Defence functions on HS&EP policy and wider HS&EP issues. They will do this through the Defence Safety and Environment Committee (DSEC), Functional Steering Group (FSG) and Functional Delivery Group (FDG).

The Director HS&EP also engages with Defence organisations through Safety Directors and Chief Environment and Safety Officers (CESOs), or their equivalents, and with other Defence functions on specific issues as they arise. For specific safety or environmental issues that need a co-ordinated response from Head Office, the Director HS&EP will establish specialist working groups from across the Defence organisations and other Defence functions.

The Director HS&EP will consider an Equality Impact Assessment when developing or updating HS&EP policy to make sure that groups with protected characteristics are not disadvantaged. The protected characteristics set out in the Equality Act 2010 are age, disability, race, religion or belief, sex, sexual orientation, pregnancy and maternity, gender reassignment, and marriage or civil partnership status.

The Directorate of Defence Communications (DDC) will support the Director HS&EP with internal and external communications where appropriate. This may include blogs or other forms of digital communication designed to engage with HS&EP professionals across Defence.

The Director General DSA leads on secretariat and communication issues specific to the Defence Safety Authority (DSA), for example those related to the DSA Annual Assurance Report (AAR). The DSA provide the HS&EP Directorate and Defence organisations with support (if required) for HS&EP related communication activities, for example providing advice on safety notices.

Consulting trade unions

The Director HS&EP leads in meeting the legal obligation to consult recognised trade unions or staff associations when developing or updating HS&EP policy and UK and international legislation.

The Director HS&EP co-chairs the Joint Health and Safety Committee (JHSC) with the trade unions' lead representatives, supported by other recognised staff associations, Defence organisations, and Defence functions as required.

Defence, as an employer, recognises the duty to consult employees or their representatives (the trade unions and recognised staff associations) on health, safety and welfare matters affecting employees. The trade unions and relevant staff associations are recognised for the purpose of health and safety discussions in line with the Safety Representatives and Safety Committees Regulations 1977 (as amended).

The role of health and safety representatives is independent of management. They provide valuable insight, skills and resources that help employees. Health and safety representatives generally inform the trade unions and recognised staff associations on matters that will affect the health, safety and welfare of employees, represent the workforce on these matters, and make representations on potential risks and dangers at the appropriate forum.

Interaction with other functions

The Director HS&EP regularly engages with other Defence functions, is a member of the Infrastructure Joint Committee (IJC) and attends the DE&S Health, Safety and Environment Committee to collaborate on HS&EP considerations within the Infrastructure and the Support functions. The HS&EP Function is represented at the Functions Working Group, which is led by the Directorate of Sponsorship and Organisational Policy (DSOP) and is where issues shared by different Defence functions are discussed and resolved.

5.2 Engagement with external stakeholders

Engagement with external stakeholders may relate to a range of HS&EP matters including responses to enforcement action, developing or updating HS&EP policy, and changes to UK and international HS&EP legislation.

The Director HS&EP leads on engaging with external stakeholders on Defence-wide strategic HS&EP issues.

The Director CC&S leads on engaging with external stakeholders on Defence-wide strategic CC&S issues. The Director CC&S and the Director HS&EP collaborate on engaging with external stakeholders for environmental issues.

The Director CC&S is responsible for strategic relationships with other government departments (OGDs) and international bodies developing changes to environmental strategy and UK legislation, and leads on the overarching relationship with the Office for Environmental Protection (OEP).

The Director Infrastructure collaborates on environmental issues and leads on infrastructure-safety communication and secretariat activity. The Director Infrastructure supports the Director HS&EP and the Director CC&S on the overarching relationship with HS&EP statutory regulators, in particular for environmental protection.

Defence organisations lead on organisation-specific HS&EP communication and secretariat activity. They also provide the Director HS&EP, the Director CC&S and the DSA with resources and expertise for Defence-wide HS&EP related communication and stakeholder engagement activities.

In certain circumstances the Directorate of Judicial Engagement Policy (DJEP) will help the Director HS&EP in engaging with external bodies and families where there are legal or sensitive implications.

Statutory regulators

The HS&EP statutory regulators, associated bodies and the relevant Defence leads are shown in table 3 below.

Statutory regulator or associated body	Defence lead
Health and Safety Executive (HSE)	Director HS&EP
Health and Safety Executive – NI (HSENI)	Director HS&EP
Civil Aviation Authority (CAA)	Director General DSA
Office for Nuclear Regulation (ONR)	Director General DNO (Director General DNO to sign general agreement on behalf of Defence, keeping the Director HS&EP involved at various levels)
Maritime and Coastguard Agency (MCA)	Director General DSA
Driver and Vehicle Standards Agency (DVSA)	Director General DSA
Driver and Vehicle Licensing Agency (DVLA)	Director General DSA
National Fire Chiefs Council (NFCC)	Director General DSA
National Police Chiefs Council (NPCC)	Director General DSA
Hampshire County Council (on behalf of all local authorities and in relation to fuels on Defence property)	Director General DSA
Environment Agency (EA)	Director HS&EP
Natural Resources Wales (NRW)	Director HS&EP
Northern Ireland Environment Agency (NIEA)	Director HS&EP
Scottish Environment Protection Agency (SEPA)	Director HS&EP
Marine Management Organisation (MMO)	Director General DSA
Forestry Commission	Director Infrastructure
Association of National Park Authorities	Director Infrastructure
Natural England	Director Infrastructure
NatureScot	Director HS&EP
Office for Environmental Protection (OEP)	Director CC&S
Medical Regulators (for example, the General Medical Council (GMC), the Care Quality Commission (CQC) and the UK Medicines and Healthcare products Regulatory Agency(MHRA))	Director General (Defence Medical Services)
Joint Nature Conservation Committee	Director Infrastructure

Table 3: HS&EP statutory regulators, associated bodies and Defence leads



6. Implementation Plan

6.1 HS&EP High level implementation plan

Figure 6 below sets out the HS&EP High Level Implementation Plan covering the five years from 2022 to 2027. It illustrates what was delivered in order for the HS&EP Function to reach ‘initial operating capability’ (IOC) in 2021, and what will need to be delivered to reach full operating capability (FOC) in March 2022.

Substantial assurance

Defence organisations are required to achieve ‘substantial assurance’ by March 2022. Whether or not a Defence organisation has achieved substantial assurance will primarily be determined by self-assessment against the HS&EP Performance Assurance Framework. However, in early 2022, the Director General DSA and the Director HS&EP will review self-assessments against DSA assurance and HS&EP scrutiny activity. If the Director General DSA and the Director HS&EP disagree with a Defence organisation’s self-assessment, this will be communicated to the Defence organisation’s DSEC member.

Review and continuous improvement

The Director HS&EP is responsible for reviewing the HS&EP Operating Model at least once a year. It will be reviewed and revised as appropriate if significant changes are needed at any time.

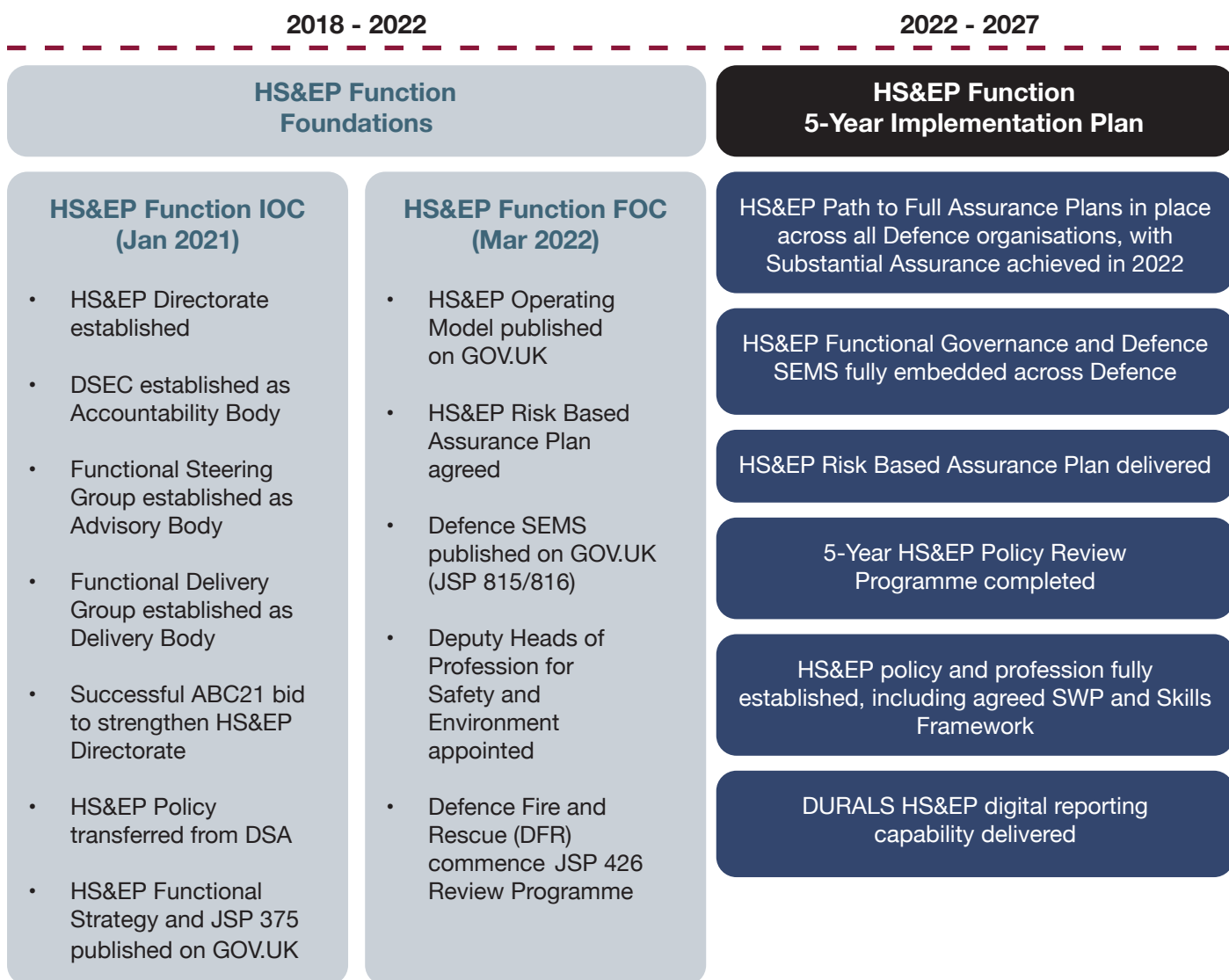


Figure 6 – HS&EP High Level Implementation Plan

Annex A: HS&EP Operating Model Key Roles & Responsibilities Table

Note: The Defence Safety and Environmental Management Systems (Defence SEMS) will be made up of the Defence Safety Management System (Defence SMS) and the Defence Environmental Management System (Defence EMS)

DG DSA	Dir HS&EP	Other Head Office Directors	Defence Organisations (leaders of Commands/DNO/EOs)
1. Leadership, Culture and Governance			
<p>Attends DSEC to provide independent assurance on HS&EP risks and issues.</p> <p>The DSA is independent from Defence activity, as set out in the DSA Charter.</p> <p>The DG DSA has direct access to the SofS and will escalate any major concerns that are not being satisfactorily addressed through normal process to SofS, making sure the Perm Sec is informed.</p> <p>Provides regulatory advice to ministers, the Perm Sec, the CDS and the VCDS.</p> <p>The DSA Charter empowers the DSA, as an independent Defence regulator, to provide the direction to be followed for specific Defence activities through its regulations and enforcement actions.</p> <p>Provide resources and HS&EP expertise to the DCMO as part of a Defence-wide response to an HS&EP related crisis or emergency.</p>	<p>Responsible for making sure there is appropriate recognition of HS&EP issues in Head Office decision-making, such as during strategy, planning, budgeting and performance and risk reviews.</p> <p>Responsible for creating the HS&EP vision.</p> <p>Responsibility for HS&EP Functional Leadership across Defence, on behalf of the COO.</p> <p>DSEC member in order to give the Perm Sec and VCDS advice on HS&EP.</p> <p>Responsible for co-ordinating and driving forward the work of the DSEC relating to HS&EP.</p> <p>Chairs HS&EP FSG and FDG.</p> <p>Invited to Defence organisation HS&EP committee meetings, in line with the letters of delegation from the Perm Sec.</p> <p>Invited to attend DSA Stakeholder Committees as required.</p> <p>Provide resources and HS&EP expertise to the DCMO as part of a Defence-wide response to an HS&EP related crisis or emergency.</p> <p>Leads on HS&EP aspects of the Defence Strategic Direction and the Defence Plan.</p> <p>Works with the Dir Infra and the Dir CC&S to develop and maintain Defence environmental policy.</p>	<p>DCDS Mil Cap is a member of the ExCo to make sure infrastructure and CC&S are taken account of during Head Office decision-making.</p> <p>Dir CC&S is a member of the DSEC in order to give the Perm Sec and the VCDS advice on CC&S.</p> <p>Dir CC&S and Dir Infra are responsible for co-ordinating and driving forward the work of the DSEC relating to the environment.</p> <p>Dir CC&S chairs the CC&S Steering Group.</p> <p>Dir CC&S develops, owns and maintains CC&S strategies and implementation plans.</p> <p>Dir CC&S will give the DCMO and wider Defence resources and expertise on CC&S issues, when required.</p> <p>Dir Infra will provide resource and expertise on specific infrastructure elements and on how Military Capability supports the DCMO, when required.</p>	<p>Lead on HS&EP through the responsibilities set out in their letters of delegation issued by the Perm Sec (or any equivalent delegated authority).</p> <p>Members of DSEC, HS&EP FSG, and FDG.</p> <p>Establish their own safety committees to provide governance across HS&EP issues within their area of responsibility.</p> <p>The HS&EP activities set out in the Defence Plan should be reflected in command plans, corporate plans, and business plans, which all include agreed objectives and key performance indicators.</p> <p>Make sure their Defence activities are delivered in line with the Defence SEMS and their own SEMS.</p> <p>Deliver Defence activities in compliance with the environmental policy documents and the strategic objectives and targets set out in the CC&S Implementation Plan.</p> <p>Provides resources and expertise to the CC&S Steering Group.</p> <p>Provide the DCMO or crisis-management teams with resources and expertise for delivering a Defence-wide response.</p>

2. Policy, Regulation and Guidance

<p>Leads in maintaining the DSA Charter, on behalf of the Perm Sec.</p> <p>The DG DSA owns, develops, and maintains Defence HS&EP regulations on behalf of the SofS through the Perm Sec.</p> <p>Leads on the approvals process for proposed exemptions to UK legislation relating to areas the DSA regulates, or where Defence Regulations relating to HS&EP are waived.</p> <p>Maintains register of all HS&EP DEDs.</p> <p>Provides expertise on regulation, investigation, enforcement, and assurance to help the Dir HS&EP to develop the Defence SEMS.</p>	<p>Is responsible for developing and maintaining effective HS&EP policies and guidance on behalf of the SofS for Defence.</p> <p>Leads in maintaining the HS&EP Policy Statement, on behalf of the Perm Sec.</p> <p>Provides HS&EP advice to ministers, the Perm Sec, the CDS and the VCDS.</p> <p>Leads on five-year policy review process to make sure it is in line with the Defence SEMS and to address any new or amended UK legislation relating to health and safety.</p> <p>Leads on presenting new or updated policy to the DSEC, who act as a clearing house for significant HS&EP policy and regulation issues.</p> <p>The Defence lead for the consideration of and response to new UK and international health and safety legislation.</p> <p>Responsible for the moderation (control) of all HS&EP related Defence Instructions and Notices (DINs).</p> <p>The Defence SEMS is owned by the Dir HS&EP, on behalf of the Perm Sec.</p> <p>The DSEMS is the overarching framework document for complying with all HS&EP legislation, Defence regulation and Defence policy.</p>	<p>Dir CC&S and the Dir Infra will provide the Dir HS&EP with resources and expertise to develop Defence environmental protection policy.</p> <p>Dir CC&S and the Dir Infra lead Defence's consideration of and response to new UK and international environmental legislation, including the Environment Bill, supported by the Dir HS&EP.</p> <p>Dir Infra owns and maintains the Infrastructure System Operating Model (ISOM) and JSP 850.</p>	<p>Provide the Dir HS&EP with resources and expertise for developing Defence HS&EP policy.</p> <p>Develop and maintain their own SEMS that is specific to their organisation. These set out how the Defence SEMS and underpinning policy and regulations will be delivered in a way specific to the Defence organisation.</p>
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3. Performance, Risk, Assurance and Scrutiny

3.1 Performance reporting

<p>There will be one Defence HS&EP Annual Assurance Report (AAR), produced by the DSA, covering all HS&EP assurance of Defence activity.</p> <p>Maintains a central record of progress against DSA enforcement actions and Service Inquiries, including closure.</p>	<p>There will be one HS&EP Annual Functional Report, produced by the Director HS&EP, covering the corporate governance of HS&EP across Defence, including Defence organisations' SEMS compliance with the Defence SEMS, and the status of the HS&EP profession.</p> <p>Supports the Perm Sec, the VCDS and the COO with the scrutiny of Defence organisations' P&RR relating to HS&EP.</p> <p>Maintains a central record of progress against Crown enforcement action by statutory regulators.</p> <p>Provides a weekly HS&EP update report to DSEC and ExCo.</p>		<p>Leads on the response to DSA enforcement actions, Crown enforcement actions and SIs.</p> <p>Accountable for their own HS&EP performance.</p> <p>Responsible for making sure that HS&EP aspects are included in their P&RR submissions, to comply with standards set by Dir HS&EP.</p>
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3.2 Risk management

<p>Supports HS&EP risk-management across Defence through appropriate Defence regulatory activity.</p> <p>If any risk from a Defence activity is not being managed appropriately, the DSA escalates the matter to Perm Sec or the SofS.</p>	<p>Provides advice to the Defence Board on Risk 8 - loss of control of management of HS&EP.</p> <p>Defence SEMS will set out the control framework for HS&EP performance and risk reporting, prioritisation and escalation, including policy relating to appointed Duty Holders.</p> <p>Communicates financial liabilities, applies for and maintains programmes that relate to Defence-wide health and safety. For programmes that relate to Defence-wide environmental protection, the Dir HS&EP will do this in collaboration with the Dir CC&S and the Dir Infra.</p> <p>The Dir HS&EP along with the Chief Risk Officer, advises the DSEC on the appropriate Defence HS&EP risk appetite.</p> <p>Provides expertise and guidance to senior Defence leaders as the owners of HS&EP risks.</p>	<p>Dir CC&S is responsible for maintaining Head Office's awareness of CC&S and, where necessary, acts to address serious CC&S risks and issues across Defence (either directly or by making sure they are addressed by the appropriate Defence processes).</p> <p>DCDS MilCap or the Dir Infra will raise issues from the IJC as required to the DSEC.</p> <p>Dir CC&S communicates financial liabilities, and applies for and maintains programmes relating to Defence-wide CC&S.</p> <p>Dir CC&S, along with the Chief Risk Officer, advises the DSEC on the appropriate Defence CC&S risk appetite.</p>	<p>Defence organisation leaders act as the Senior Duty Holder (SDH) if they consider that their organisation's Defence activities lead to a risk to life that requires enhanced safety management arrangements.</p> <p>When any risk from a Defence activity cannot be mitigated so that it is as low as reasonably practicable (ALARP) and tolerable, Defence organisations will escalate the matter to the Perm Sec and to the SofS, through the Duty Holder chain as appropriate.</p> <p>Inform the Dir HS&EP of any HS&EP related issues that have been escalated to the Perm Sec and to the SofS.</p> <p>Provide key HS&EP and CC&S risks and mitigation plans, consistent with wider P&RR to the DSEC.</p> <p>Communicate financial liabilities and apply for and maintain programmes relating to HS&EP issues specific to them.</p>
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3.3 Assurance and scrutiny

<p>All 3rd Line of Defence (LoD) assurance of Defence activities will be conducted under the control and leadership of the Director General DSA.</p> <p>Leads on Major Accident Investigations and is the convening authority for Service Inquiries (SI) across all Defence organisations.</p> <p>Has the right to investigate, on a dynamic risk basis, any high-risk activity that presents a risk to life.</p>	<p>Provides the 2nd LoD through the scrutiny of Strategy, Corporate Governance and Planning relating to HS&EP across Head Office and the Defence organisations.</p> <p>There will be one Risk-Based Assurance Plan, owned by the Dir HS&EP on behalf of the Perm Sec. That plan will cover all HS&EP assurance, including compliance with Defence policy, regulation and legislation.</p> <p>The Dir HS&EP will not undertake assurance of Defence activities but will have the right to conduct HS&EP reviews in specific areas, as directed by the Perm Sec.</p> <p>Leads in providing the DARAC and the Head Office ExCo with an Annual Functional Assurance Report on the performance of the HS&EP Function.</p> <p>Conduct scrutiny of the Defence organisations' individual SEMS to make sure they comply with the Defence SEMS.</p> <p>Conduct scrutiny of Defence organisations P&RRs relating to HS&EP.</p> <p>Draw on scrutiny of Head Office's and Defence organisations' corporate governance and the Defence organisations' SEMS and P&RRs to contribute to the Defence AAR produced by the DG DSA.</p>		<p>Provides the 1st LoD through their Safety and Environmental Management Systems SEMS.</p> <p>Implement corrective actions, including in response to DSA enforcement actions, Crown Censures and Service Inquiries.</p> <p>Have the right to conduct Non-Statutory Inquiries.</p> <p>Compile an annual HS&EP self-assurance report, relating to the HS&EP Assurance Performance Framework, for the DSEC</p> <p>Provides an annual update on their 'Path to Full Assurance' plans.</p> <p>Military Commands provide the Dir HS&EP with weekly performance reports, including information on incidents and accident investigations.</p>
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4. People and Professional Management

<p>Training Requirements Authority for those areas of HS&EP training where Defence regulation applies and there is no lead Defence organisation.</p> <p>Deliver specialised Duty Holder and regulatory training, and provide technical regulatory expertise and guidance to Defence organisations.</p>	<p>As the Head of Profession, the Dir HS&EP leads on development of the Defence-wide HS&EP Profession 'Offer'.</p> <p>Nominates professionally qualified deputy HS&EP heads of profession.</p> <p>Oversees and defines the functional competencies required for the HS&EP profession.</p> <p>Provides expertise and guidance standards, in line with the SKEB Methodology, to develop (in collaboration with the People Function), the HS&EP competency framework. Those standards include all the HS&EP functional competencies.</p> <p>Leads on the process of consulting trade unions on matters relating to the HS&EP profession.</p> <p>Training Requirements Authority for those areas of HS&EP training where HS&EP policy applies and there is no lead Defence organisation.</p> <p>Leads on engaging with HS&EP professional bodies, including through corporate membership of those professional bodies, and maintaining professional relationships with the Health and Safety Executive and other government departments and agencies.</p>	<p>Dir CC&S (in agreement with Dir HS&EP) nominates deputy heads of profession for the environment.</p> <p>Dir CC&S, in collaboration with the Dir HS&EP, leads on engaging with professional environmental bodies, including through corporate membership of that professional body.</p>	<p>Commanders and line managers to understand which people with HS&EP responsibilities (as detailed in their SEMs) are suitably qualified, competent and whether they have adequate resources.</p> <p>Training Delivery Authority for those areas of HS&EP training where the Dir HS&EP or the DSA is the Training Requirement Authority.</p> <p>Training Requirements Authority for all other HS&EP training, including establishing a lead command for Defence-wide requirements.</p>
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5. Stakeholder Engagement

<p>Leads on secretariat and communication issues specific to the DSA, for example those related to the DSA AAR.</p> <p>Provide the HS&EP Directorate and Defence organisations with support (if required) for HS&EP related communication activities, for example providing advice on safety notices.</p>	<p>Leads on engaging with internal and external stakeholders on Defence-wide strategic HS&EP issues.</p> <p>Leads in meeting a legal obligation to consult recognised trade unions or staff associations when developing or updating HS&EP policy and international legislation.</p> <p>Formally consult with HS&EP stakeholders from Defence organisations and other Defence functions on HS&EP policy and wider HS&EP issues. They will do this through the DSEC, FSG and FDG.</p> <p>The HS&EP Function is represented at the Functions Working Group, which is led by the DSOP, where issues shared by different Defence functions are discussed and resolved.</p>	<p>Dir CC&S leads on engaging with internal and external stakeholders on Defence-wide strategic CC&S issues.</p> <p>Dir CCS and the Dir HS&EP collaborate on internal and external engagement on environmental issues.</p> <p>Dir CC&S is responsible for strategic relationships with OGDs and International bodies developing changes to environmental strategy and UK legislation, and leads on the overarching relationship with the Office for Environmental Protection (OEP).</p> <p>Dir Infra collaborates on environmental issues and leads on infrastructure-safety communication and secretariat activity.</p> <p>Dir Infra supports the Dir HS&EP and the Dir CC&S on the overarching relationship with HS&EP Statutory regulators, in particular for environmental protection.</p>	<p>Leads on organisation-specific HS&EP communication and secretariat activity.</p> <p>Provide the Dir HS&EP, the Dir CC&S and the DSA with resources and expertise for Defence-wide HS&EP related communication and stakeholder engagement activities.</p>
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6. Implementation Plan

<p>Review Defence organisation's self-assessments against DSA assurance.</p>	<p>Review Defence organisation's self-assessments against HS&EP scrutiny activity.</p> <p>HS&EP function to reach Full Operating Capability (FOC) in March 2022.</p> <p>Responsible for reviewing the HS&EP Operating Model at least once a year.</p>		<p>Defence organisation are required to achieve 'substantial assurance' by March 2022.</p> <p>Carry out self-assessment against the HS&EP Performance Assurance Framework to determine if substantial assurance of organisation has been achieved.</p>
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Ministry
of Defence

Health Safety & Environmental Protection
(HS&EP) Function Operating Model

September 2021